

REMARKS

Claims 8-16 are pending in the present application.

Double Patenting Rejection

Claims 8, 11 and 14 have been provisionally rejected on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 3 and 6 of copending U.S. Application Serial No. 11/045,044.

Although Applicant does not necessarily concede that this rejection is proper, a Terminal Disclaimer in compliance with 37 C.F.R. 1.321(c) has been submitted herewith, to advance prosecution. In view of the Terminal Disclaimer, the Examiner is respectfully requested to withdraw this rejection.

Since no prior art rejections are currently outstanding, the Examiner is also respectfully requested to acknowledge that claims 8-16 are allowed.

Information Disclosure Statement

In the Response to Arguments section on page 2 of the current Office Action dated January 25, 2008, the Examiner has apparently asserted that the documents as cited in the Information Disclosure Statement filed in the present application on November 8, 2007, are not cited in copending U.S. Application Serial No. 11/045,044. However, as may be seen in the image file wrapper of copending U.S. Application Serial No. 11/045,044 on the U.S. Patent Office website, Japanese Patent Publication

No. 63-250957 and Japanese Patent Publication No. 57-138203 were cited in copending U.S. Application Serial No. 11/045,044 in connection with the Information Disclosure Statement dated December 19, 2006. Also, Japanese Patent Publication No. 06-061790 was cited in copending U.S. Application Serial No. 11/045,044 in connection with the Information Disclosure Statement dated January 31, 2005.

Conclusion

The Examiner is respectfully requested to reconsider and withdraw the above noted rejection, and to pass the claims of the present application to issue, for at least the above reasons.

In the event that there are any outstanding matters remaining in the present application, please contact Andrew J. Telesz, Jr. (Reg. No. 33,581) at (571) 283-0720 in the Washington, D.C. area, to discuss these matters.

Under the provisions of 37 C.F.R. 1.321(c), the required fee of \$130.00 for the Terminal Disclaimer should be charged to Deposit Account No. 50-0238.

Serial No. 10/724,118

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Request for Reconsideration dated April 23, 2008

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment for any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0238.

Respectfully submitted,

VOLENTINE & WHITT, P.L.L.C.

A handwritten signature in black ink, appearing to read "A. J. Telesz, Jr.", written in a cursive style.

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Enclosures: Terminal Disclaimer